

Service Area Plan

Department Of Conservation And Recreation

Natural Heritage Preservation and Management (50317)

Service Area Background Information

Service Area Description

The Department of Conservation and Recreation's Natural Heritage Program conserves Virginia's biological diversity through inventory, conservation information, protection, and stewardship. This involves extensive plant, animal, and natural community field research and the maintenance of a comprehensive database of the biota of Virginia. Virginia manages a growing Natural Area Preserve System currently containing 46 properties and over 40,000 acres, managing the best examples of Virginia's natural habitats, and rarest plant and animal species for present and future Virginians.

Service Area Alignment to Mission

The Natural Heritage Division works to conserve Virginia's biological diversity through inventory, conservation information, protection, and management.

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Service Area Statutory Authority

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The department is authorized to establish criteria for the selection, registration and dedication of natural areas and natural area preserves; grant permits to qualified persons for the conduct of scientific research and investigations within natural area preserves; provide recommendations to the Department of Agriculture and Consumer Services and to the Department of Game and Inland Fisheries concerning their regulatory activities related to endangered species; produce an inventory of the Commonwealth's natural heritage resources; maintain a natural heritage data bank; develop a natural heritage plan to establish priorities for the protection, acquisition and management of registered and dedicated natural areas and natural area preserves; and maintain a state registry of voluntarily protected natural areas to be called the Virginia Registry of Natural Areas. General fund appropriations, gifts, bequests, devises, fees, lease proceeds, and funds accruing from, or attributable to, the use or management of state natural area preserves acquired or held by the Department are to be deposited to the Natural Area Preservation Fund. Code of Virginia, Title 10.1, Chapter 2, Article 3. (Virginia Natural Area Preserves Act §10.1-209-217)
- The department may issue a permit to excavate or remove any archaeological, paleontological, prehistoric or historic feature of any cave, or to carry out other scientific investigations or collections. The department, through the Virginia Cave Board, is responsible for protecting rare, unique, and irreplaceable minerals and archaeological resources found in caves; rare and endangered animal or other life forms found in caves; ground water flow in caves; and the integrity of caves that have unique characteristics or are exemplary natural community types. Code of Virginia, Title 10.1, Chapter 10. (Cave Protection Act §10.1-1000-1008)
- The director shall serve as executive secretary to the Virginia Land Conservation Foundation and shall be responsible for providing technical assistance and performing any administrative duties that the Foundation may direct. Additionally, the Department shall administer the Foundation's lands as if such lands were departmental lands, and the regulations established by the Director for the management and protection of departmental lands shall apply to real estate held by the Foundation. The Department's conservation officers commissioned under § 10.1-115 shall have jurisdiction on all of the Foundation's lands and waters. Code of Virginia, Title 10.1, Chapter 10.2. (Virginia Land Conservation Foundation § 10.1-1022.1)
- Invasive Species Council; Code of Virginia, Title 10.1, Chapter 26, § § 10.1-2600 et seq.
- The director may request the Governor to commission individuals designated by the director to act as conservation officers of the Commonwealth. Commissioned conservation officers shall be law-enforcement officers and shall have power to enforce the laws of the Commonwealth and the regulations of the Department and the collegial bodies under administrative support of the Department. If requested by the chief law-enforcement officer of the locality, conservation officers shall coordinate the investigation of felonies with the local law-enforcement agency. The Department's Conservation officers shall also have the power to arrest without warrant in certain cases as authorized pursuant to § 19.2-81.
- Conservation officers shall have jurisdiction throughout the Commonwealth on all Department lands and waters and upon lands and waters under the management or control of the Department; on property of the United States government or a department or agency thereof on which the Commonwealth has concurrent jurisdiction and is contiguous with land of the Department or on which the Department has a management

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interest; on a property of another state agency or department whose property is contiguous with land of the Department; and in those local jurisdictions in which mutual aid agreements have been established pursuant to § 15.2-1736.

- Special conservation officers appointed pursuant to § 10.1-115 shall have jurisdiction throughout the Commonwealth. Upon separation from the Department, incapacity, death, or other good cause, the Director may recommend in writing the decommissioning of any conservation officer to the Governor. The Director may designate certain conservation officers to be special conservation officers. Special conservation officers shall have the same authority and power as sheriffs throughout the Commonwealth to enforce the laws of the Commonwealth. Code of Virginia, Title 10.1, Chapter 1, Article 4.

- The governing bodies of localities, and state-supported institutions of higher learning having a police force, as well as sheriffs with law-enforcement authority within localities without a police force, and the Director of the Department of Conservation and Recreation with commissioned conservation officers, or any combination thereof may, by proper resolutions, enter in and become a party to contracts or mutual aid agreements for the use of their joint police or other law-enforcement forces, both regular and auxiliary, their equipment and materials to maintain peace and good order. Any police or other law-enforcement officer, regular or auxiliary, while performing his duty under any such contract or agreement, shall have the same authority in such locality as he has within the locality where he was appointed. In counties where no police department has been established, the sheriff may, in his discretion, enter into mutual aid agreements as provided by this section. Code of Virginia, Title 15.2, Chapter 17. Article 3, § 15.2-1736.

Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	100	100
Boards and Foundations	10	11
Conservation Organizations and Land Trusts	50	50
Educational Institutions/educators/students/researchers	30,000	30,000
Government Agencies (Federal, State, and Local)	184	184
Landowners	500	1,000
Recreational Users (campers, picnickers, hikers, etc.)	5,000	6,000
Soil and Water Conservation Districts	47	47
Special Customer Groups	25	30

Anticipated Changes In Service Area Customer Base

A growing number of visitors to the expanding Natural Area Preserve System is anticipated. The additional visitors will place increasing and changing use demands on the System.

The growing number of land trusts (25+) and non-profits, the regulated community, and local governments will be seeking new types of biodiversity and land conservation information, and expect it to be made readily available via the internet and in a user-friendly format.

Customers that seek technological information will increase, especially via the internet.

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Service Area Partners

Agricultural Community

Service Area Partners

Boards and Foundations

Service Area Partners

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

Service Area Partners

Contractual Services

Service Area Partners

Federal Agencies

Environmental Protection Agency; National Oceanic and Atmospheric Administration; National Park Service; Natural Resources Conservation Service; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; U.S. Forest Service

Service Area Partners

Local Governments

Departments of Parks and Recreation; Local Planning, Zoning and Building Officials

Service Area Partners

Non profits

Service Area Partners

Regional Planning District Commissions

Service Area Partners

Soil and Water Conservation Districts

Service Area Partners

State Agencies

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals and Energy; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

Service Area Partners

Volunteers and Volunteer Groups

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Service Area Products and Services

- Financial Assistance
- Outdoor Recreational Activities
- Regulatory Programs - Information
- Technical Assistance
- Public Education
- Public Information
- Permitting, Regulation, and Enforcement
- Public Safety (dam safety, law enforcement, etc.)
- Invasive species information and management
- Rare species and natural community inventory, information, and management
- Cave and karst conservation services

Factors Impacting Service Area Products and Services

- state funding levels
- insufficient staffing levels in key program areas
- declining federal funding levels
- increased demand for agency services/products

Anticipated Changes To Service Area Products and Services

- The increasing size of the Natural Area Preserve (NAP) System will increase demand on existing staff for biological resource management as well as law enforcement and operational issues.
- Management complexity will increase, including more required oversight of easements and NAP boundaries.
- Evolving remote imagery and techniques will demand more training of natural heritage inventory staff. There is a growing demand and expectation from the land conservation community for natural heritage inventory staff to provide land conservation technical assistance from inventory, to monitoring, to management. More natural heritage information will need to be produced and distributed to the land conservation and land use community, via evolving internet mapping and database technology. Staff will be increasingly required to learn new and evolving technologies to keep pace with technical service and information demands.

Service Area Human Resources Summary

Service Area Human Resources Overview

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Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date:

Total Authorized Position level

Vacant Positions

Non-Classified (Filled).....

Full-Time Classified (Filled)

Part-Time Classified (Filled)

Faculty (Filled)

Wage

Contract Employees

Total Human Resource Level

Factors Impacting Service Area Human Resources

Anticipated Changes in Service Area Human Resources

Service Area Financial Summary

The Natural Heritage program non-capital budget is 70% general funds, and Natural Heritage has a 20 year history of successfully seeking competitive nongeneral funds (30%) in the form of contracts and grants to more adequately accomplish the mission. The nongeneral funds require nongeneral fund FTE to accomplish the work, and the funds come from some fifteen different sources.

With the expansion of the Natural Area Preserve System brought about largely through the 1992 and 2002 bond funding, DCR has a documented need for additional operating funds and FTE to properly manage and protect the key natural resources on these properties and to make them publicly accessible.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$1,978,535	\$1,417,703	\$1,978,535	\$1,417,703
Changes To Base	\$0	\$0	\$0	\$0
SERVICE AREA TOTAL	\$1,978,535	\$1,417,703	\$1,978,535	\$1,417,703

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Service Area Objectives, Measures, and Strategies

Objective 50317.01

Preserve the natural diversity of biological resources of the Commonwealth.

Virginia has a rich diversity of plants, animals, and natural communities. Southwestern Virginia, for example, has been identified as one of only six biological diversity hotspots in the United States. During Heritage inventories, 23 species new to science and over 200 species never before recorded in Virginia have been documented by the Natural Heritage Program. Inventory will continue to be a focus as well as the efficient management and dissemination of the gathered conservation information in a timely and cost-effective manner, and the protection and proper habitat management of the Commonwealth's native species and significant natural communities.

This Objective Supports the Following Agency Goals:

- Advance the protection, conservation, and stewardship of Virginia's significant natural areas, conservation lands, and natural heritage resources.

This Objective Has The Following Measure(s):

- **Measure 50317.01.01**

Number of natural heritage conservation sites protected and properly managed.

Measure Type: Outcome **Measure Frequency:** Annually

Measure Baseline: As of FY06, approximately 124 of the 823 (or 15.1%) of the globally significant conservation sites are protected and properly managed.

Measure Target: Increase the percentage of protected globally significant conservation sites protected and properly managed by 4 sites annually (or 0.5%). For FY07, 128 sites will be protected and properly managed.

Measure Source and Calculation:

Natural Heritage conservation site information along with protected lands data is managed in DCR's Biotics information management system. The database will be queried to determine the number of globally significant conservation sites each year and the percentage of these sites that are protected and properly managed for biodiversity conservation. Stream conservation units were not included in this calculation. Karst and all terrestrial conservation sites were included. This number was 823 on May 5, 2006.

- **Measure 50317.01.02**

Number of critical natural area resource enhancement projects completed annually.

Measure Type: Output **Measure Frequency:** Annually

Measure Baseline: 5 critical natural area resource enhancement projects completed in FY05.

Measure Target: 20 Natural Heritage Resource enhancement actions annually.

Measure Source and Calculation:

Natural Heritage will track and summarize the number of resource management projects conducted to benefit natural heritage resources. This will include the total of prescribed burns, invasive species control projects, public access projects, wildlife management projects, restoration plantings, and monitoring projects completed during the reporting period

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Objective 50317.01 Has the Following Strategies:

- Identify, rank, and update natural heritage plant, animal and natural community lists.
- Prioritize natural heritage resource inventory focus areas annually.
- Prioritize and ensure acquisition of critical data sets for incorporation into Biotics.
- Develop and expand delivery of conservation information including internet web mapping applications.
- Prioritize and carry out public land registry.
- Establish 10 joint projects with conservation partners each year.
- Complete natural area preserve management plans and identify natural heritage resource management priorities for research, restoration, and population or community maintenance.
- Implement priority management actions including prescribed fire, invasive species control, and habitat restoration, and deer population management.
- Conduct rare plant and animal species and natural community, fire effects, invasive species, and habitat restoration monitoring.
- Maintain NAP facilities and boundaries; ensure public access and visitor safety; enforce DCR regulations.